

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:10-CR-00238-RJC

USA

v.

MILTON EARL ADAMS

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ORDER

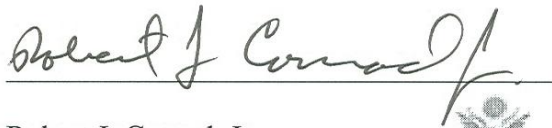
THIS MATTER is before the Court upon motion of the defendant, pro se, for immediate release from custody. (Doc. No. 733).

The defendant asserts that he has provided assistance to law enforcement, but that his lawyer has not filed a motion for a reduction of sentence on his behalf. Federal Rule of Criminal Procedure 35(b) clearly states that the government must file a motion before the Court can reduce a sentence based on substantial assistance. United States v. Francois, 889 F.2d 1341, 1345 (4th Cir. 1989).

IT IS, THEREFORE, ORDERED that the defendant's motion is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, and to the United States Attorney.

Signed: January 20, 2016



Robert J. Conrad, Jr.
United States District Judge



SEALED DOCUMENT with access to Specified Parties/Defendants.